

BEFORE
THE PUBLIC SERVICE COMMISSION OF
SOUTH CAROLINA
DOCKET NO. 2021-168-S - ORDER NO. 2021-502

JULY 26, 2021

IN RE: Petition of the Office of) ORDER REQUIRING REFUNDS OF
Regulatory Staff Requiring) CERTAIN OVERCHARGES
Condor Environmental,) RELATED TO THE WASTEWATER
Incorporated to Verify Authorized) SERVICES FOR CUSTOMERS IN
Rates and Charges) THE ROSE HILL AND CALEDONIA
) SUBDIVISIONS

I. INTRODUCTION AND SUMMARY

This matter comes before the Public Service Commission of South Carolina (“the Commission”) on the request of Condor Environmental, Incorporated (“Condor”) for approval of refunds of certain charges made by Condor to residents of the Rose Hill and Caledonia subdivisions, while providing these subdivisions with wastewater services.

With regard to Rose Hill, Condor claims that it overcharged customers a total of \$5,502.00 for the provision of its services. Condor states that the overcharges resulted when Condor inadvertently overcharged the Rose Hill Homeowners’ Association \$2.50 per home from May to October of 2020 and \$2.00 per home from November of 2020 to January of 2021. Concerning Caledonia, Condor noted that it overcharged \$555.00 for the provision of its services, resulting from a brief period between May 22, 2020 and October 26, 2020, when Condor states that it inadvertently overcharged the Caledonia HOA an additional \$0.50 per home.

Condor proposes that it refund these overcharges, plus simple interest at 8.5% in two equal monthly installments through bill credits beginning with the billing cycle

following the Commission's order approving the proposal. The Office of Regulatory Staff does not oppose this methodology.

Further, Condor asserts that it overcharged the same two subdivisions wholesale wastewater fees, but that the amounts were passthroughs, and the Company did not get to keep any of these charges. However, Condor requests *nunc pro tunc* approval of these fees, and approval to charge these same fees going forward under Order No. 2016-74.

Accordingly, based upon the information and filings in the record, the Commission makes the following Findings of Fact and Conclusions of Law.

II. FINDINGS OF FACT

1. Condor Environmental, Inc. proposes to refund certain overcharges made to its customers in the Rose Hill and Caledonia Subdivisions for the provision of wastewater services.

2. With regard to Rose Hill, Condor claims that it overcharged customers a total of \$5,502.00 for its services.

3. With regard to Caledonia, Condor claims that it overcharged customers a total of \$555.00 for its services.

4. Condor proposes that it refund these overcharges, plus simple interest at 8.5% in two equal monthly installments through bill credits beginning with the billing cycle following the issuance of the Commission's Order approving the proposal.

5. The Office of Regulatory Staff does not oppose this refund plan.

6. It is reasonable for Condor to provide satisfactory proof of the refunds within thirty (30) days of the refunds to the Commission and the Office of Regulatory Staff.

7. Condor also requests that the Commission approve *nunc pro tunc* certain wholesale wastewater fees. The customers in the same subdivisions appear to have been overcharged on these fees. Condor also requests approval of these same fees going forward.

8. It is premature for the Commission to rule on the wholesale wastewater fee overcharges at this time or the reasonability of these rates, since the audits and verifications of these fees by the Office of Regulatory Staff is not complete. The ruling on the wholesale wastewater portion of the case should be held in abeyance.

III. CONCLUSIONS OF LAW

1. Condor Environmental, Inc. is a wastewater public utility governed under the provisions of S.C. Code Ann. Section 58-5-240.

2. The Office of Regulatory Staff agrees with Condor's refund plan concerning the overcharges in the Rose Hill and Caledonia Subdivisions.

3. The refund plan is just and reasonable, and should be implemented as filed.

4. Proof of the refunds within thirty (30) days to the Commission and the Office of Regulatory Staff is a reasonable way to ensure that the refunds in this case are made in a manner consistent with Condor's plan and with this Order.

5. This Commission's ruling on the reasonableness of the wholesale wastewater charges is premature until the Office of Regulatory Staff completes its audits and verifications of billing summaries provided by Condor.

IV. ORDERING PARAGRAPHS

1. Condor shall refund \$5,502.00 in overcharges for the Rose Hill Subdivision and \$555.00 for the Caledonia Subdivision, plus simple interest at 8.5% in two equal

monthly installments through bill credits beginning with the billing cycle following the issuance of the Commission's Order approving the refund proposal.

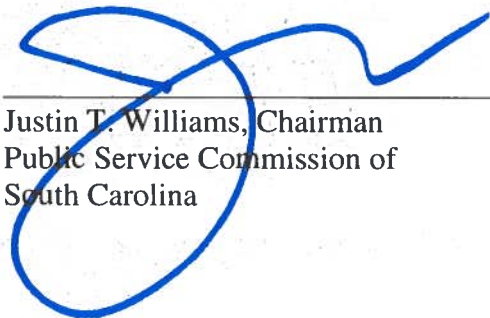
2. Condor shall provide satisfactory proof of the refunds within thirty (30) days of the refunds to the Commission and the Office of Regulatory Staff.

3. The Commission's ruling on the reasonableness of the wholesale wastewater charges shall be held in abeyance until such time as the Office of Regulatory Staff completes its audits and verification of billing summaries provided by Condor.

4. This Order shall remain in full force and effect until further Order of the Commission.

BY ORDER OF THE COMMISSION:




Justin T. Williams, Chairman
Public Service Commission of
South Carolina